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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER				
JANVIER, JEAN D				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/855,585

Applicant(s)

IZZO ET AL.

Examiner

JEAN JANVIER

Art Unit

3688

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/26/08 has been entered and a Non-Final Action follows.

DETAILED ACTION

Claim Status

Claims 1-24 are currently pending in the Instant Application.

Specification

Claim Objections

Claim 8 is objected to because of the following informalities-

Concerning claim 8, line 2, "...a plurality of produced by...) should apparently be - -... a plurality of items produced by...- -.

Appropriate corrections are required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject

matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cairns, USP 6,173, 267B1.

As per claims 1-2, 4-19 and 21-24, Cairns discloses a method of and a system for providing fulfillment in a promotional contest, which includes the step of providing a card in a product package marked with an Internet address and a password or contest code. A purchaser of the product contacts the Internet address and inputs personal information before entering the password or contest code into an Online prize redemption site (web site or redemption system) to learn if the purchaser is a winner in the contest following a validating process (for determining if the entered code is valid-check/balance). If the purchaser is a winner, then the card is sent to the company or promoter to verify the winning status, related to the password or contest code inputted at the Internet prize redemption site, before sending the prize to the purchaser (See abstract; figs 1-3; col. 1: 65 to col. 2: 54).

Each product 18 of fig. 2 in a production runs is provided with a card 12 of fig. 2. Each of the cards 12 is provided with the Internet address 14 of fig. 2 and different codes 16 of fig. 2. Here, each code or contest code or password is unique. The incorporation of the card 12 into the product 18 packaging is accomplished by automated machinery, which mounts the card by an adhesive, for example, on the product box or product container wherein it could be covered by

wrapping such as shrink wrap. The card 12 may be inserted into the package, such as into the product box or may be under a label as well. Instead of placing the card 12 in or on the product package, the card may be incorporated into the product package by being printed on the package, printed as part of a label or on the back of a label. The product may be a product or service catalog or advertisement and the card is provided in the catalog or advertisement, such as by being inserted into the catalog or by being printed on a catalog page, for example (fig. 2; col. 3: 1-23).

In general, each product 18 of fig. 2 in a production runs is provided with a card 12 of fig. 2. Each of the cards 12 is provided with the Internet address 14 of fig. 2 and different codes 16 of fig. 2. Here, each code or contest code or password is unique. The incorporation of the card 12 into the product 18 packaging is accomplished by automated machinery, which mounts the card by an adhesive, for example, on the product box or product container wherein it could be covered by wrapping such as shrink wrap. The card 12 may be inserted into the package, such as into the product box or may be under a label as well. Instead of placing the card 12 in or on the product package, the card may be incorporated into the product package by being printed on the package, printed as part of a label or on the back of a label. The product may be a product or service catalog or advertisement and the card is provided in the catalog or advertisement, such as by being inserted into the catalog or by being printed on a catalog page, for example (fig. 2; col. 3: 1-23). **The card 12 is provided with the product 18 inside the packaging/package in such a way as to only be available to the purchaser or customer after the product is purchased and the packaging is open.** Ideally, the outside of the product package 18 includes information announcing the contest or sweepstakes and indicating that the card 12 or other playing piece is

enclosed therein (notifying the potential purchaser of the presence of the card 12 related to the contest inside the product package-Col. 3: 24-40).

As shown in fig. 2, the card 12 has been marked with the Internet address 14 (identifier or code) for an Internet site, such as a world wide web site, at which is available custom developed web site for the contest or sweepstakes. The card has also been marked with the code or password 16 (contest code) or other information. The code 16 may be unique to each card 12, related to a product, or may be indicative of classes of applicants or customers, such as one code (contest code) for non-winning cards, inserted in a plurality of product packages, another code or contest code for a top level winner and other of winners of second tier or lower prizes (establishing one or more subsets of entrants or applicants or categorizing the applicants as non-winners, top-level winners, lower-prize winners, etc., based on the (type of) contest codes or passwords inserted in individual product packages and determining whether a contest code entered by a customer matches a pre-determined winning code as read from an associated list). Promotional information or other encoded information may also be marked on the card, including advertising, a discount coupon or other information (col. 3: 53-64; fig. 2).

Furthermore, for purchasers who have no access to the Internet address, an alternative may be provided wherein a purchaser returns the card by mail, for example. This enables all purchasers to participate in the sweepstakes, but is not preferred (col. 4: 4-22 and 23-27).

After receiving the code 16 or contest code (password) and the entrant's or purchaser's personal information from the purchaser 24, prior to determining whether the entered contest

code is a winning code, the inputted code 16 is compared to a list of winning codes (passwords), related to the one or more established subsets or categorizing step, to determine whether that code is a winner at some prize level in accordance with the established one or more subsets or categorizing step, as shown at step 60 of fig. 1.

Alternately, the code 16, which is input by the purchaser 24 may be subject to some computation, random selection, or other means for determining a winning or non-winning status, instead of the look-up list (a winner may be randomly determined). The purchaser 24 is then informed of his or her status based on the entered code 16 (contest code), in other words, whether the purchaser 24 has won some prize, as shown at step 70 (col. 4: 47-57; fig. 1).

As per claims 1, 8, 13 and 18, although Cairns discloses a system wherein a card 12 having printed thereon a URL 14 and a code or contest code 16 and the card 12 is inserted inside the packaging of a product 18, wherein the URL address is used by a purchaser or recipient of the product 18 as an interface to enter the contest code 16 and the contest code 16 may be unique to each card 12, related to a product, or may be indicative of classes of applicants or customers, such as one code (contest code) for non-winning cards, inserted in a plurality of product packages, another code or contest code for a top level winner and other of winners of second tier or lower prizes (establishing one or more subsets of entrants or applicants or categorizing the applicants as non-winners, top-level winners, lower-prize winners, etc., based on the (type of) contest codes inserted inside the individual product packages and determining whether a contest code entered by a customer matches a pre-determined winning code as read from an associated list-col. 3: 53-64; fig. 2), however,

Cairns does not expressly teach establishing a subset of items from a plurality of items and wherein each item of the subset including a winning code unique to the subset (determining whether a contest code inputted by a customer matches a winning code unique to a subset of the plurality of items).

However, the Examiner notes that the step of establishing a subset of items from a plurality of items and wherein each item of the subset including a winning code unique to the subset does not play any significant role in determining whether an inputted contest code related to a product matches a winning code from a list of winning codes stored in a system database. This determination is made in accordance with a number of pre-defined “winning” codes stored in the database regardless of whether or not a winning code is unique to a subset of items or a winning code is pre-printed on the related product or item itself. In other words, the step of establishing a subset of items from a plurality of items and wherein each item of the subset including a winning code unique to the subset or pre-printing a winning code on the featured item itself in addition to a contest code is a matter of desires, which does not directly impact the functionality or utility of the system or the process by which a consumer inputs the contest code related to the product/item and the step of determining if there is a match between the inputted contest code and a plurality of pre-determined winning codes stored in a database. Here, only the contest code related to the product is necessary for the system to function. In addition, associating the inputted contest code, related to an item, with another internal/external code corresponding to the item and used to determine a winner subsequent to inputting the contest code into a system database is a matter of internal use, which may be transparent to the user.

This is also a non-functional descriptive material.

Thus, it would have been obvious to an ordinary skilled artisan, implementing the system of Cairns at the time of the invention, to reach the above conclusion or realize that the step of establishing a subset of items from a plurality of items and wherein each item of the subset including a winning code unique to the subset or pre-printing a winning code on the featured item in addition to a contest code is a matter of desires or a matter of choice, which does not directly impact the functionality or utility of the system or the step or system by which a consumer inputs the contest code related to the product/item and the step of determining if there is a match between the inputted contest code and a plurality of pre-determined winning codes stored in a database and that only the contest code related to the product is necessary for the system to function.

As per claims 4, 5, 9, 10, 14, 15, 21 and 22 Cairns does not explicitly disclose that the step of establishing the subset occurs before the step of enabling the consumer to input the contest code or the step of establishing the subset occurs after the contest codes have been inputted.

However, the Examiner notes that establishing the subset before or after the consumer has inputted the contest code into a redemption system is a matter of choice or desires, which does not directly impact the functionality or utility of the system or the step or system by which a consumer inputs the contest code related to the product/item and the step of determining if there is a match between the inputted contest code and a plurality of pre-determined winning codes stored in a database. **This is also a non-functional descriptive material.**

Therefore, it would have been obvious to an ordinary skilled artisan, implementing the system of Cairns or the present invention, to reach the above conclusion at the time of the invention or realize that establishing the subset before or after the consumer has inputted the contest code into a redemption system or redemption web site is a matter of choice or desires, which does not directly impact the functionality or utility of the system or the step or system by which a consumer inputs the contest code related to the product/item and the step of determining if there is a match between the inputted contest code and a plurality of pre-determined winning codes stored in a database.

As per claims 3 and 20, Cairns does not expressly disclose that the consumer inputs the contest code via a kiosk (terminal).

However, it is common practice in the art for a consumer to enter a contest code via a kiosk or an apparatus installed at a location (see US Patent 5,883,620 for more details). It is also well documented in the art that a user can use a kiosk or a store terminal to request and select coupons locally or remotely stored in a database.

“Official Notice”

Therefore, it would have been obvious to an ordinary skilled artisan at the time of the invention to incorporate the above disclosure (“Official Notice”) into the Cairns’ system so as to enable a consumer to input a contest code related to a product into a redemption system or Internet site via a kiosk or a store terminal in order to determine if he is the winner of a prize, thereby allowing the consumer to know in real-time, subsequent to acquiring or purchasing a

product or while at the POS, whether or not he has won a prize when his inputted contest code matches a contest code previously stored in the redemption system or Internet site database.

Claims 1, 3-18 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs, USP 5,883,620

As per claims 1, 3-18 and 20-24, Hobbs discloses an electronic prize verification and display apparatus that provides an interactive interface with a consumer to receive information, such as an alphanumeric data sequence (contest code), that includes a plurality of digits, indicative of a prize to be awarded to that consumer. **The display apparatus (redemption system) compares the received alphanumeric data sequence (contest code) with a predetermined series of winning sequences (winning codes) and displays a prize won by the consumer (in the case of a win) or a message encouraging the consumer to try again later (in the case of a loss). The alphanumeric data sequence could be a prize code (winning code) printed on a consumer provided product, such as a paper cup (providing a product or item to a consumer, wherein the product or item has imprinted thereon an alphanumeric data sequence representing a contest code or a prize code/winning code used to determine a prize winner when the contest code is entered into the display apparatus or redemption system). Upon purchase of the product, a consumer would enter the prize code (contest code) into the electronic prize verification and display apparatus (kiosk) to determine if the prize code was a winning code, and if so, the prize won (validating the entered contest code or prize code/winning code and subsequently determining if the entered code is a winning code....). To**

facilitate entry of the prize code and display of an appropriate message to the consumer, the electronic prize verification and display apparatus redemption system or kiosk) preferably includes a keypad and liquid crystal display. As each digit of the alphanumeric data sequence (contest code) is entered into the apparatus, it is displayed on the liquid crystal display. Upon entry of a predetermined number of digits or upon actuation of an appropriate key by the consumer, **the entered sequence is compared to the predetermined series of winning sequences for verification (See abstract: figs. 3A-3C, 4A-4D and 5A-5D).**

(Here, the alphanumeric data sequence, printed on the product, is a contest code and/or a winning code).

In general, the present system is directed to an improved interactive electronic prize verification and display system and method for use in conducting consumer promotions and more particularly relates to such a system and method wherein a prize code printed on a concealed portion of a consumer article, **such as a paper cup (printing the contest code or winning code/prize code on the packaging)**, is entered into the interactive electronic prize verification and display system by a consumer to determine if the article entitles the consumer to a prize (col. 1: 6-15).

See col. 2: 44 to col. 4: 18.

As per claims 1, 8, 13 and 18, although Hobbs teaches that **the alphanumeric data sequence, printed on the product, is a contest code and/or a winning code**, however, Hobbs does not expressly teach establishing a subset of items from a plurality of items and wherein each

item of the subset including a winning code unique to the subset (determining whether a contest code inputted by a customer matches a winning code unique to a subset of the plurality of items).

However, the Examiner notes that the step of establishing a subset of items from a plurality of items and wherein each item of the subset including a winning code unique to the subset does not play any significant role in determining whether an inputted contest code related to a product matches a winning code from a list of winning codes stored in a system database. This determination is made in accordance with a number of pre-defined “winning” codes stored in the database regardless of whether or not a winning code is unique to a subset of items or a winning code is pre-printed on the related product or item itself. In other words, the step of establishing a subset of items from a plurality of items and wherein each item of the subset including a winning code unique to the subset or pre-printing a winning code on the featured item itself in addition to a contest code is a matter of desires, which does not directly impact the functionality or utility of the system or the process by which a consumer inputs the contest code related to the product/item and the step of determining if there is a match between the inputted contest code and a plurality of pre-determined winning codes stored in a database. Here, only the contest code related to the product is necessary for the system to function. In addition, associating the inputted contest code, related to an item, with another internal/external code corresponding to the item and used to determine a winner subsequent to inputting the contest code into a system database is a matter of internal use, which may be transparent to the user.

This is also a non-functional descriptive material.

Thus, it would have been obvious to an ordinary skilled artisan, implementing the system of Hobbs at the time of the invention, to reach the above conclusion or realize that the step of

establishing a subset of items from a plurality of items and wherein each item of the subset including a winning code unique to the subset or pre-printing a winning code on the featured item in addition to a contest code is a matter of desires or a matter of choice, which does not directly impact the functionality or utility of the system or the step or system by which a consumer inputs the contest code related to the product/item and the step of determining if there is a match between the inputted contest code and a plurality of pre-determined winning codes stored in a database and that only the contest code related to the product is necessary for the system to function.

As per claims 4, 5, 9, 10, 14, 15, 21 and 22 Hobbs does not explicitly disclose that the step of establishing the subset occurs before the step of enabling the consumer to input the contest code or the step of establishing the subset occurs after the contest codes have been inputted.

However, the Examiner notes that establishing the subset before or after the consumer has inputted the contest code into a redemption system is a matter of choice or desires, which does not directly impact the functionality or utility of the system or the step or system by which a consumer inputs the contest code related to the product/item and the step of determining if there is a match between the inputted contest code and a plurality of pre-determined winning codes stored in a database. **This is also a non-functional descriptive material.**

Therefore, it would have been obvious to an ordinary skilled artisan, implementing the system of Hobbs or the present invention, to reach the above conclusion at the time of the

invention or realize that establishing the subset before or after the consumer has inputted the contest code into a redemption system or redemption web site is a matter of choice or desires, which does not directly impact the functionality or utility of the system or the step or system by which a consumer inputs the contest code related to the product/item and the step of determining if there is a match between the inputted contest code and a plurality of pre-determined winning codes stored in a database.

Response to Applicant's Arguments

First, the IDS, filed on 08/17/06, has herein been considered by the Examiner.

Second, regarding the Claim Objections, the Examiner is aware of the fact that the MPEP does feature examples related to multiple dependent claims where "A gadget according to claim 1" is shown.

Third, regarding the art rejection, Applicant argues that Hobbs teaches that the winning code is not verified or confirmed until after the purchaser has already been notified that the inputted code is a winning code and after the purchaser sends the card with winning code to the promoter for verification (See 10 and last paragraph of the Applicant's response). The Examiner respectfully and completely disagrees with the Applicant's characterization and simplistic interpretation of the prior art or the Hobbs' reference. In fact, **Hobbs discloses a method of and a system for providing fulfillment in a promotional contest, which includes the step of providing a card in a product package marked with an Internet address and a password or contest code. A purchaser of the product contacts the Internet address and inputs personal information** before entering the password or contest code into an Online prize redemption site (web site or redemption system) to learn if the purchaser is a winner in the contest following a

validating process (for determining if the entered code is valid-check/balance). If the purchaser is a winner, then the card is sent to the company or promoter to verify the winning status, related to the password or contest code inputted at the Internet prize redemption site, before sending the prize to the purchaser (See abstract; figs 1-3; col. 1: 65 to col. 2: 54). **Technically speaking, when a password or contest code is entered into the redemption site (database), the inputted or entered contest code or password is checked or compared (validated) against a plurality of predetermined (winning) codes or passwords stored in a database before it can be determined if the inputted contest code or password is a winner (the latter reads on the step of validating an inputted contest code). In this manner, a fake or fraudulent contest code or password can never be a winner since the fraudulent code is not stored or pre-recorded in the database or the fake contest code cannot be matched against any of the stored winning codes (passwords) and hence, the comparison or validation will fail. To this end, in checking or comparing (validating) the inputted code against a plurality of winning codes stored in a database to determine if the entered code or password is a winner, the determining step takes place only after the comparing or validating step (fig. 1).** This reads on the step of first validating the inputted contest code or password before determining if the inputted code is a winner. Moreover, validating the inputted contest code or password before determining if the inputted code is a winner instead of checking (validating) the inputted code against a plurality of winning codes stored in a database to determine if the entered code or password is a winner is a matter of desires or choice since only valid inputted codes can be winners. In other words, it appears that the initial step of separately validating the code before checking if the code is a winner, as read from a list of pre-

recorded codes, is unnecessary since only valid inputted codes can be matched against the winning codes stored in the database before determining if the entered code or password is a winner.

In addition, fig. 1 of the Hobbs' Patent shows that a password or contest code is received by a redemption (Internet) site or system from a user (block 50), the system compares the received password or inputted contest code to a list of winning codes or winning passwords (block 60) (validating the inputted password before determining if the entered code is a winner), the system next informs the user of the winning status of the inputted code or password subsequent to the comparing or validating step (block 70) (determining whether or not the entered code is a winner). See also claims 21-22 of the Hobbs' reference.

Further, contrary to the Applicant's interpretation, if the entered password or code is a winner, then the user or purchaser sends the insert card to the promoter to claim the related prize and a post-validation or post-verification is performed, before the related prize is provided to the user, to thereby ensure that the received insert card is indeed related to the winning code or inputted password [blocks 80, 90 and 100] of fig. 1. Finally, having said that, Hobbs does not teach away from the spirit of the claimed invention. See also claims 21-22 of the Hobbs' reference.

Therefore, the Applicant's request for allowance or withdrawal of the last Office Action has been fully considered and respectfully denied in view of the foregoing response since the Applicant's arguments as herein presented are not persuasive.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Michikawa Kenichi, JP PN-11-025307, published on January 29, 1999, discloses a promotional system for promoting at least a product having printed thereon a manufacturer code, a product code and a specific serial number uniquely identifying a promoted product during a real-time sweepstakes, contest or prize/bonus ticket game (game of chance or lottery). If a consumer buys a promoted product, having a unique identifier or serial number or code, during a transaction at a POS, then the POS system is adapted to automatically enter the purchased promoted product serial number into the game, contest or lottery to determine if the said consumer has won a prize according to a preset win table having a specified predefined winning numbers or winning serial numbers flagged with a 1 therein and a predetermined non-win serial numbers flagged with a zero (0) in the table as depicted in fig. 2. If the consumer wins a prize in the game, contest or lottery, then a ticket or book-coupon is provided to the consumer for claiming an associated benefit (Here, the book-coupon is herein interpreted as a winning ticket issued to the consumer). (See figs. 1, 2, 3 and claims 1-6 of the present reference).

In general, Kenichi discloses a wins extraction device having a reading process that reads item identification codes and their accompanying information, including unique serial numbers, and has a selection process that selects specific winning item codes (serial numbers) and their accompanying information from among the code information obtained by the said reading device coupled the POS system ([0006], [0007] and [0010]).

A wins selection/determination device is configured to have a memory or database for storing all

of the code (bar code) information that the said reading process reads and storing the wins information that indicates which of the codes or serial numbers, related to scanned items, are winners and where the said selection process stores in the said memory the wins information based on the selected winning codes and where the said decision process determines a win or no-win of each target code based on the wins identification information (storing a preset number of wins or winning serial numbers- [0011]).

Here, the book-coupon is herein interpreted as a ticket. Moreover, it is implicitly supported that the book-coupon contains information related to the promoted product and/or other product, which a displayed advertisement.

See also [0014], [0017], [0019], [0021]-[0023], [0025]-[0029], [0031], [0032], [0036]-[0049].

USP 4,518,639 to Phillips discloses a game cup and method wherein the cup comprises a waxed paper cup having a rolled lip with game information printed inside of the rolled lip in a game information area thereof. A semi-circular snap-out section, defined by a series of spaced-apart slits, is located below the game information area of the lip but spaced therefrom. To reveal the printed game information, a finger is pushed in against the snap-out section to break it away from the remainder of the cup sidewall. The snap-out section is then pulled upwardly tearing a portion of the sidewall away up to the lip, and then the snap-out section and torn portion are moved or rotated around the rolled lip so as to unroll the rolled lip and reveal the printed game information (See abstract).

USP 5,007,641 to Seidman discloses a promotional game wherein prizes are automatically awarded upon presentation of tokens bearing machine readable codes. The tokens may be identical to tokens bearing a common code, and the prizes may be awarded at random to

patrons who present an appropriate token bearing this common code. Desirably, the prizes are awarded substantially immediately upon presentation of the tokens. The tokens may be product identification code symbols on packages of goods (See abstract).

USP 5,898,153AA to Lagan discloses a method for automatically processing sweepstakes entries and mail orders is disclosed. The method reads a machine code identifying the sender and simultaneously detects orders from non-orders using a magnetic field detector, without opening the envelopes. The machine code is printed on the outside face of the envelope, or alternatively, on the reply insert itself, in which case it is visible through a die-cut window formed in the return envelope. When read, the machine code identifies the contestant and enters him or her into the sweepstakes. The returned envelopes are also fed through a sorter, which magnetically detects whether each return envelope contains a magnetic order stamp. If the sorter detects a magnetic stamp, the envelope is routed to an order batch where the envelope is opened for order processing; otherwise the envelope is routed to a non-order batch. During the outgoing mail processing, a machine code indicative of the recipient may be preprinted on each carrier envelope or reply insert. This code may be read and used to print a machine code corresponding thereto on the return envelope. The return envelope and the reply insert, along with order stamps each having a magnetic ink layer, are inserted into the carrier envelope and mailed out to the recipient (See abstract).

Any inquiry concerning this communication from the Examiner should be directed to Jean D. Janvier, whose telephone number is (571) 272-6719. The aforementioned can normally be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner

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by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached at (571) 272- 6724.

Non-Official- 571-273-6719.

Official Draft (effective on 7/15/05).

09/10/08

/J. J./

/Jean Janvier/

Primary Examiner, Art Unit 3688